



City of Santa Barbara Planning Division

PLANNING COMMISSION MINUTES

September 2, 2010

CALL TO ORDER:

Chair Bartlett called the meeting to order at 1:06 P.M.

I. ROLL CALL

Chair Bruce Bartlett, Vice-Chair John Jostes, Commissioners Charmaine Jacobs, Mike Jordan, Stella Larson, Sheila Lodge, and Deborah L. Schwartz.

Commissioner Charmaine Jacobs arrived at 1:33 P.M.

STAFF PRESENT:

Danny Kato, Senior Planner
Steve Wiley, City Attorney
N. Scott Vincent, Assistant City Attorney
Pat Kelly, City Engineer / Assistant Public Works Director
George Johnson, Senior Creeks Planner
Dan Gullett, Associate Planner
George Johnson, Senior Creeks Planner
Kelly Brodison, Assistant Planner
Julie Rodriguez, Planning Commission Secretary

II. PRELIMINARY MATTERS:

A. Action on the review of the following Draft Minutes and Resolutions:

1. Draft Minutes of August 19, 2010
2. Resolution 010-10
2501-2511 Medcliff Road

MOTION: Lodge/Schwartz

Approve the minutes and resolutions as corrected.

This motion carried by the following vote:

Ayes: 6 Noes: 1 Abstain: As noted. Absent: 1 (Jacobs)

Commissioner Jostes abstained from the Minutes and Resolution of August 19, 2010.

Commissioner Jordan abstained from the Minutes of August 19, 2010 and Resolution 010-010 regarding 2501-2511 Medcliff Road.

- B. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

None.

- C. Announcements and appeals.

None.

- D. Comments from members of the public pertaining to items not on this agenda.

Chair Bartlett opened the public hearing at 1:08 P.M. and, with no one wishing to speak, closed the hearing.

III. CONSENT ITEM:

ACTUAL TIME: 1:08 P.M.

APPLICATION OF JAMES ZIMMERMAN, ARCHITECT FOR LARRY & LAUREN KURZWEIL, PROPERTY OWNERS, 1220 SHORELINE DRIVE, APN 045-214-020, E-3/SD-3 ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, FIVE UNITS PER ACRE (MST2009-00512)

The project consists of a 770 square foot two-story addition to an existing 1,064 square foot one-story residence with an attached 379 square foot garage on a 5,663 square foot lot in the appealable jurisdiction of the Coastal Zone.

The discretionary application required for this project is a Coastal Development Permit (CDP20010-00006) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301, Existing Structures.

Case Planner: Kelly Brodison, Assistant Planner

Email: KBrodison@SantaBarbaraCA.gov

Phone: 805-564-5470, ext. 4531

Commissioner Jostes requested that the Planning Commission waive the Staff Report.

MOTION: Jostes/Larson

Waive the Staff Report

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Jacobs)

Chair Bartlett opened the public hearing at 1:09 P.M., and with no one wishing to speak, closed the hearing.

MOTION: Jostes/Jordan

Assigned Resolution No. 011-10

Approve the project, making the findings for The Coastal Development Permit as outlined in the Staff Report, subject to the Conditions of Approval in Exhibit A of the Staff Report.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Jacobs)

Chair Bartlett announced the ten calendar day appeal period.

IV. NEW ITEMS

ACTUAL TIME: 1:11 P.M.

RECUSALS: To avoid any actual or perceived conflict of interest, Commissioner Jostes recused himself due to his wife owning property in the vicinity of the project. Commissioner Jostes left the dais at 1:11 P.M.

A. APPLICATION OF CITY OF SANTA BARBARA PUBLIC WORKS DEPARTMENT, APPLICANT FOR VIRGINIA & RENA CASTAGNOLA AND FAMILY, 15 E. CABRILLO BLVD., APNS 033-111-012 & -011, HRC-2 AND SD-3 ZONES, COASTAL PLAN DESIGNATIONS: HOTEL & RELATED COMMERCE II, BUFFER/STREAM (MST2010-00033)

The proposed project involves the partial demolition of an existing 142-seat Rusty's Pizza Parlor building; construction of an approximately 1,020 square foot second story addition, 250 square foot second story balcony, and 150 square foot trash enclosure; remodel; and new creek-side landscaping. The project is associated with the approved Cabrillo Bridge Replacement Project (MST2004-00878, PC Resolution. 029-07), which includes demolition of 447 square feet of the restaurant building and the 350 square foot exterior patio over Mission Creek to facilitate replacement of the Cabrillo Bridge and provide for Mission Creek flood control improvements.

The discretionary applications required for this project are:

1. Front Setback Modification on E. Cabrillo Blvd. to allow encroachment of a two-story building into the 20 foot front setback on E. Cabrillo Blvd. (SBMC §28.22.060 & §28.92.110);
2. Front Setback Modification on Helena Ave. to allow encroachment of a two-story building into the 20 foot front setback on Helena Ave. (SBMC §28.22.060 & §28.92.110); and

3. Coastal Development Permit (CDP2010-00005) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 (Existing Facilities).

Case Planner: Dan Gullett, Associate Planner

Email: DGullett@SantaBarbaraCA.gov

Phone: 805-564-5470, ext. 4550

Dan Gullett, Associate Planner gave the Staff presentation.

Richard Six, Lenvik and Minor Architects, gave the applicant presentation.

Chair Bartlett opened the public hearing at 1:25 P.M.

Eddie Harris, President of Santa Barbara Urban Creeks Council, shared some concerns regarding the proximity of development to Mission Creek and requested a 25 foot setback from the creek for the altered building.

With no one else wishing to speak, the public hearing was closed at 1:29 P.M.

Commissioner Jacobs arrived at the dais at 1:33 P.M.

Pat Kelly, City Engineer/Assistant Public Works Director; George Johnson, Creeks Supervisor; and Steve Wiley, City Attorney, were present to respond to the Commission's questions.

MOTION: Larson/Jacobs

Assigned Resolution No. 012-10

Approve the project, making the findings for the Front Setback Modification on E. Cabrillo Boulevard, the Front Setback Modification on Helena Avenue; and the Coastal Development Permit as outlined in the Staff Report, subject to the Conditions of Approval in Exhibit A of the Staff Report with the following revision to the Conditions of Approval: 1) Construction shall be prohibited on any Friday preceding a Monday holiday.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Jostes)

Chair Bartlett announced the ten calendar day appeal period, and called for a recess at 2:32 P.M. and reconvened the meeting at 2:41 P.M.

ACTUAL TIME: 2:41 P.M.

Commissioner Jostes returned to the dais at 2:41 P.M.

B. APPLICATION OF LISA PLOWMAN, PEIKERT GROUP ARCHITECTS, AGENT FOR MADSEN FAMILY TRUST, 3626 SAN REMO DRIVE, APNS 053-231-010 & 053-231-011, E-3 AND SD-2 ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, 5 UNITS PER ACRE, BUFFER/STREAM (MST2009-00325)

Proposal to subdivide a 66,372 square foot property into four lots ranging in size between 14,166 square feet and 16,453 square feet. The project includes demolition of the garage, studio apartment, a portion of the existing residence, shed, lath house, and driveway; and development envelopes for each new lot. The project also includes construction of a new driveway, drainage improvements, implementation of a creek restoration plan, and approximately 150 cubic yards of total grading. In addition, the project includes a view easement and preservation of the façade of the existing 3,137 square foot main residence.

The discretionary applications required for this project are:

1. Three Street Frontage Modifications to allow Parcels 1, 2, and 3 to be created with less than the required 60 feet of public street frontage (SBMC §28.15.080 and §28.92.110);
2. Three Street Frontage Waivers to allow Parcels 1, 2, and 3 to be created with no public street frontage (SBMC §22.60.300); and
3. Tentative Subdivision Map to allow the division of two parcels into four lots (SBMC Chapter 27.07).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15315 (Minor Land Divisions).

Case Planner: Dan Gullett, Associate Planner

Email: DGullett@SantaBarbaraCA.gov

Phone: 805-564-5470, ext. 4550

Dan Gullett, Associate Planner gave the staff presentation.

Nancy Madsen, Owner, made introductory remarks, followed by Lisa Plowman, Peikert Group Architects, who gave the applicant presentation.

Chair Bartlett opened the public hearing at 3:08 P.M.

The following people spoke in support of the project:

1. Eddie Harris, Santa Barbara Urban Creeks Council
2. Christina Pizarro

With no one else wishing to speak, the public hearing was closed at 3:13 P.M.

Many Commissioners expressed desire for broader public views of the existing residence from San Remo and were not supportive of the creation of Lot 4 due to its development constraints and its location between San Remo and the existing residence on Lot 3. Commissioners encouraged the applicant to pursue a three lot subdivision or a creative redesign, such as a Planned Residential Development (PRD), that would provide for additional units behind the existing residence.

The majority of Commissioners could support a three lot subdivision with the removal of Parcel 4 and development envelopes set back 50 feet from the top of bank of San Roque Creek, except for the portion of the historic structure, located less than 50 feet from the top of bank.

MOTION: Lodge/Larson

Continue the project indefinitely.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

V. ADMINISTRATIVE AGENDA

ACTUAL TIME: 4:49 P.M.

A. Committee and Liaison Reports.

1. Staff Hearing Officer Liaison Report

None was given.

2. Other Committee and Liaison Reports

a. Commissioner Larson reported on the Historic Landmark Committee's meeting of September 1, 2010.

b. Commissioner Jordan reported on touring the Santa Barbara Airport and seeing the construction in progress.

VII. ADJOURNMENT

Chair Bartlett adjourned the meeting at 4:52 P.M.

Submitted by,

Julie Rodriguez, Planning Commission Secretary



City of Santa Barbara California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 011-10 1220 SHORELINE DRIVE COASTAL DEVELOPMENT PERMIT SEPTEMBER 2, 2010 2010

APPLICATION OF JAMES ZIMMERMAN, ARCHITECT FOR LARRY & LAUREN KURZWEIL, PROPERTY OWNERS, 1220 SHORELINE DRIVE, APN 045-214-020, E-3/SD-3 ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, FIVE UNITS PER ACRE (MST2009-00512)

The project consists of a 770 square foot two-story addition to an existing 1,064 square foot one-story residence with an attached 379 square foot garage on a 5,663 square foot lot in the appealable jurisdiction of the Coastal Zone.

The discretionary application required for this project is a Coastal Development Permit (CDP20010-00006) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301, Existing Structures.

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor of the application, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, August 26, 2010.
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Paula Wesbury, Santa Barbara, CA

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

- I. Approved the subject application making the following findings and determinations:
Coastal Development Permit (SBMC §28.44)

The project is consistent with the policies of the California Coastal Act, the City's Local Coastal Plan, all implementing guidelines, and applicable provisions of the Code because the addition is compatible with the existing neighborhood, would not be visible from the beach, would not impact views from public view corridors, would not impact public access, would not contribute to safety or drainage hazards on the site, and is not located on a coastal bluff or on an archaeologically sensitive site.

- II. Said approval is subject to the following conditions:

- A. **Recorded Conditions Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute a written instrument prepared by Planning staff, which shall be reviewed as to form and content by the

City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:

1. **Approved Development.** The development of the Real Property approved by the Planning Commission on September 2, 2010 is limited to a 770 square foot two-story addition to an existing 1,064 square foot one-story residence with an attached 379 square foot garage on a 5,663 square foot lot in the appealable jurisdiction of the Coastal Zone and the improvements shown on the project plans signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
 2. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
 3. **Recreational Vehicle Storage Limitation.** No recreational vehicles, boats, or trailers shall be stored on the Real Property unless enclosed or concealed from view as approved by the Single Family Design Board (SFDB).
 4. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Single Family Design Board (SFDB). Such plan shall not be modified unless prior written approval is obtained from the SFDB. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the SFDB, the owner is responsible for its immediate replacement.
 5. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices intended to intercept siltation and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) in a functioning state (and in accordance with the Operations and Maintenance Procedure Plan prepared in accordance with the Storm Water Management Plan BMP Guidance Manual). Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit and Coastal Development Permit are required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.
- B. **Public Works Requirements Prior to Building Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project.
1. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an *Agreement Assigning Water Extraction Rights*. Engineering Division Staff will prepare said agreement for the Owner's signature.

2. **Removal or Relocation of Public Facilities.** Removal or relocation of any public utilities or structures must be performed by the Owner or by the person or persons having ownership or control thereof.
- C. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.
1. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the Single Family Design Board.
 2. **Basic Storm Water Management Best Management Practices (BMP) Requirement.** The City's Manual guides the user in the selection, integration, design and implementation of a variety of BMP options for a project site to meet the City's post-construction storm water management requirements for development and redevelopment projects. This project is required to comply with Tier 2 of the Storm Water Runoff Requirements which requires that one of the options that are provided in A Homeowner's Guide to Managing Storm Water Practices shall be incorporated into the project plans. Please refer to the City's Storm Water BMP Guidance Manual, posted at www.sbcreeks.com.
 3. **Conditions on Plans/Signatures.** The final Planning Commission Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Archaeologist contract submitted to Community Development Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.
Signed:

- D. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction.
1. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara, as shown below:

New Year's Day	January 1st*
Martin Luther King's Birthday	3rd Monday in January
Presidents' Day	3rd Monday in February
Cesar Chavez Day	March 31st
Memorial Day	Last Monday in May
Independence Day	July 4th*
Labor Day	1st Monday in September
Thanksgiving Day	4th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25th*

*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out night construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number that is answered by a person, not a machine.

2. **Construction Parking/Storage/Staging.** Construction parking and storage shall be provided as follows:
 - a. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director. Construction workers are prohibited from parking within the public right-of-way, except as outlined in subparagraph b. below.
 - b. Parking in the public right of way is permitted as posted by Municipal Code, as reasonably allowed for in the 2006 Greenbook (or latest reference), and with a Public Works permit in restricted parking zones. No more than three (3) individual parking permits without extensions may be issued for the life of the project.
 - c. Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.
3. **Water Sprinkling During Grading.** The following dust control measures shall be required, and shall be accomplished using recycled water whenever the Public Works Director determines that it is reasonably available:
 - a. Site grading and transportation of fill materials.
 - b. Regular water sprinkling; during clearing, grading, earth moving or excavation.

- c. Sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied on-site to prevent dust from leaving the site.
 - d. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.
 - e. Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement on-site damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.
4. **Expeditious Paving.** All roadways, driveways, sidewalks, etc., shall be paved as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used, as directed by the Building Inspector.
 5. **Gravel Pads.** Gravel pads shall be installed at all access points to the project site to prevent tracking of mud on to public roads.
 6. **Street Sweeping.** The property frontage and adjacent property frontages, and parking and staging areas at the construction site shall be swept daily to decrease sediment transport to the public storm drain system and dust.
 7. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.
 8. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
 9. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the applicant shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface

disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

- E. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:
 - 1. **Repair Damaged Public Improvements.** Repair any damaged public improvements (curbs, gutters, sidewalks, roadways, etc.) subject to the review and approval of the Public Works Department per SBMC §22.60.090. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.
- F. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors (“City’s Agents”) from any third party legal challenge to the City Council’s denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively “Claims”). Applicant/Owner further agrees to indemnify and hold harmless the City and the City’s Agents from any award of attorney fees or court costs made in connection with any Claim.

NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:

Pursuant to Section 28.44.230 of the Santa Barbara Municipal Code, work on the approved development shall commence within two years of the final action on the application, unless a different time is specified in the Coastal Development Permit. Up to three (3) one-year extensions may be granted by the Community Development Director in accordance with the procedures specified in Subsection 28.44.230.B of the Santa Barbara Municipal Code.

This motion was passed and adopted on the 2nd day of September, 2010 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1 (Jacobs)

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Planning Commission at its meeting of the above date.

Julie Rodriguez, Planning Commission Secretary

Date

PLEASE BE ADVISED:

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) CALENDAR DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.



City of Santa Barbara California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 012-10

15 EAST CABRILLO BOULEVARD

FRONT SETBACK MODIFICATIONS, COASTAL DEVELOPMENT PERMIT

SEPTEMBER 2, 2010

APPLICATION OF CITY OF SANTA BARBARA PUBLIC WORKS DEPARTMENT, APPLICANT FOR VIRGINIA & RENA CASTAGNOLA AND FAMILY, 15 E. CABRILLO BLVD., APNS 033-111-012 & -011, HRC-2 AND SD-3 ZONES, COASTAL PLAN DESIGNATIONS: HOTEL & RELATED COMMERCE II, BUFFER/STREAM (MST2010-00033)

The proposed project involves the partial demolition of an existing 142-seat Rusty's Pizza Parlor building; construction of an approximately 1,020 square foot second story addition, 250 square foot second story balcony, and 150 square foot trash enclosure; remodel; and new creek-side landscaping. The project is associated with the approved Cabrillo Bridge Replacement Project (MST2004-00878, PC Resolution. 029-07), which includes demolition of 447 square feet of the restaurant building and the 350 square foot exterior patio over Mission Creek to facilitate replacement of the Cabrillo Bridge and provide for Mission Creek flood control improvements.

The discretionary applications required for this project are:

1. Front Setback Modification on E. Cabrillo Blvd. to allow encroachment of a two-story building into the 20 foot front setback on E. Cabrillo Blvd. (SBMC §28.22.060 & §28.92.110);
2. Front Setback Modification on Helena Ave. to allow encroachment of a two-story building into the 20 foot front setback on Helena Ave. (SBMC §28.22.060 & §28.92.110); and
3. Coastal Development Permit (CDP2010-00005) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 (Existing Facilities).

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor of the application, and 1 person appeared to speak with concerns thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, August 23, 2010.
2. Site Plans
3. Correspondence received in opposition to the project or with concerns:
 - a. Eddie Harris, Santa Barbara Urban Creeks Council
 - b. Paula Westbury, Santa Barbara, CA

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

I. Approved the subject application making the following findings and determinations:

A. **Front Setback Modification (E. Cabrillo Blvd) (SBMC §28.22.060 & 28.92.110)**

As shown in Section V of the Staff Report dated August 23, 2010, the requested front setback modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement of the small second-story addition and alterations to the ground floor because of the constrained nature of the site and the necessity to preserve restaurant capacity while pulling the building away from the creek.

B. **Front Setback Modification (Helena Ave.) (SBMC §28.22.060 & 28.92.110)**

As shown in Section V of the Staff Report dated August 23, 2010, the requested front setback modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement of the small second-story addition and alterations to the ground floor due to the constrained nature of the site, the necessity to maintain the number of seats while pulling the building away from the creek, and the necessity to provide an addition to a non-conforming building consistent with City design guidelines.

C. **Coastal Development Permit (SBMC §28.44.060)**

1. The project is consistent with the policies of the California Coastal Act.

As shown in Section VI.C of the Staff Report dated August 23, 2010, the project, as conditioned, is consistent with the policies of the California Coastal Act, including those policies related to Water and Marine Environments, Locating New Development, and Visual Quality.

2. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code.

As shown in Sections V and VI.C of the Staff Report dated August 23, 2010, the project, as conditioned, is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines and, with the requested modifications, all applicable provisions of the of the Municipal Code.

II. Said approval is subject to the following conditions:

A. **Design Review.** The project is subject to the review and approval of the (Historic Landmarks Commission (HLC). HLC shall not grant preliminary approval of the project until the following Planning Commission land use conditions have been satisfied.

1. **Creekside Landscaping.** Provide a landscape plan approved by the Creeks Division with native riparian landscaping between the reconfigured restaurant building and the creek wall on APN 033-111-012.

2. **Tree Removal and Replacement.** All trees removed shall be replaced, at minimum, on a one-to-one basis with trees of an appropriate size and appropriate species or like species, to enhance the site's visual appearance.

3. **Screened Check Valve/Backflow.** The check valve or anti-backflow devices for fire sprinkler and/or irrigation systems shall be provided in a location screened from public view or included in the exterior wall of the building.

B. **Recorded Conditions Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute *a written instrument*, prepared by Planning staff, which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:

1. **Approved Development.** The development of the Real Property approved by the Planning Commission on September 2, 2010 is limited to the partial demolition of an existing 142-seat restaurant building; construction of an approximately 1,020 square foot second story addition, 250 square foot second story balcony, and 150 square foot trash enclosure; remodel; and new creekside landscaping; and the improvements shown on the plans signed by the chair of the Planning Commission on said date and on file at the City of Santa Barbara.
1. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Historic Landmarks Commission (HLC). Such plan shall not be modified unless prior written approval is obtained from the HLC. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the HLC, the owner is responsible for its immediate replacement.
2. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the required drainage system and storm water pollution control devices intended to intercept silt and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) in a functioning state and in accordance with the Storm Water Management Plan BMP Guidance Manual. Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit and Coastal Development Permit is required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.
3. **Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:
 - a. **Emergency Exiting.** A covenant that provides for a 48-inch-wide emergency ingress and egress route through APN 033-111-011 in favor of APN 033-111-012 between the new emergency exit and the State St. right of way.

1. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an *Agreement Assigning Water Extraction Rights*. Engineering Division Staff will prepare said agreement for the Owner's signature.
2. **Drainage and Water Quality.** Project drainage shall be designed, installed, and maintained such that stormwater runoff from the first inch of rain from any storm event shall be retained and treated onsite in accordance with the City's NPDES Storm Water Management Permit. Runoff should be directed into a passive water treatment method such as a bioswale, landscape feature (planter beds and/or lawns), infiltration trench, etc. Project plans for grading, drainage, stormwater treatment methods, and project development, shall be subject to review and approval by City Building Division and Public Works Department. Sufficient engineered design and adequate measures shall be

employed to ensure that no significant construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water pollutants, or groundwater pollutants would result from the project. The Owner shall maintain the drainage system and storm water pollution control methods in a functioning state.

3. **Encroachment Permits.** Any encroachment or other permits from the City or other jurisdictions (State, Flood Control, County, etc.) for the construction of improvements, including any required appurtenances, within their rights of way.
4. **Removal or Relocation of Public Facilities.** Removal or relocation of any public utilities or structures must be performed by the Owner or by the person or persons having ownership or control thereof.
5. **Approved Public Improvement Plans and Concurrent Issuance of Public Works Permit.** Upon acceptance of the approved public improvement plans, a Public Works permit shall be issued concurrently with a Building permit.
6. **Traffic Control Plan.** A traffic control plan shall be submitted, as specified in the City of Santa Barbara Traffic Control Guidelines. Traffic Control Plans are subject to approval by the Public Works Director/Transportation Manager. Construction and storage in the public right-of-way is prohibited during Fiesta in the affected areas (around McKenzie Park, Downtown and Waterfront) and during the Holiday Shopping Season (between Thanksgiving Day and New Years Day) in all commercial shopping areas, including but not limited to Upper State Street, the Mesa shopping area, Downtown and Coast Village Road.

E. **Community Development Requirements with Building or Public Works Permit Application.** The following shall be submitted with the application for any Building or Public Works permit and finalized prior to Building or Public Works Permit issuance:

1. **Required Private Covenants.** The Owner shall submit a copy of the draft private covenants, reciprocal easement agreement, or similar private agreements required for the project.
2. **Neighborhood Notification Prior to Construction.** At least twenty (20) days prior to commencement of construction, the contractor shall provide written notice to all property owners, businesses, and residents within 300 feet of the project area. The notice shall contain a description of the project, the construction schedule, including days and hours of construction, the name and phone number of the Contractor(s), site rules and Conditions of Approval pertaining to construction activities and any additional information that will assist the Building Inspectors, Police Officers and the public in addressing problems that may arise during construction. The language of the notice and the mailing list shall be reviewed and approved by the Planning Division prior to being distributed. An affidavit signed by the person(s) who compiled the mailing list shall be submitted to the Planning Division.
3. **Contractor and Subcontractor Notification.** The Owner shall notify in writing all contractors and subcontractors of the site rules, restrictions, and Conditions of Approval. Submit a copy of the notice to the Planning Division.

4. **Parks and Recreation Commission Tree Removal Approval.** Submit to the Planning Division verification of approval from the Park and Recreation Commission for the removal of trees within the required front setback with a trunk diameter greater than four (4) inches at a point twenty-four (24) inches above the ground.
- F. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.
1. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the Historic Landmarks Commission, outlined in Section A above.
 2. **Grading Plan Requirement for Archaeological Resources.** The following information shall be printed on the grading plans:

If archaeological resources are encountered or suspected, work shall be halted or redirected immediately and the Planning Division shall be notified. The archaeologist shall assess the nature, extent, and significance of any discoveries and develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.
 3. **Post-Construction Erosion Control and Water Quality Plan.** Provide an engineered drainage plan that addresses the existing drainage patterns and leads towards improvement of the quality and rate of water run-off conditions from the site by capturing, infiltrating, and/or treating drainage and preventing erosion. The Owner shall employ passive water quality methods, such as bioswales, catch basins, or storm drain on the Real Property, or other measures specified in the Erosion Control Plan, to intercept all sediment and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) from the parking lot areas and other improved, hard-surfaced areas prior to discharge into the public storm drain system, including any creeks. All proposed methods shall be reviewed and approved by the Public Works Department and the Community Development Department. Maintenance of these facilities shall be provided by the Owner, as outlined in Condition B.5, above, which shall include the

regular sweeping and/or vacuuming of parking areas and drainage and storm water methods maintenance program.

4. **Conditions on Plans/Signatures.** The final Planning Commission Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Archaeologist contract submitted to Community Development Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner		Date
Contractor	Date	License No.
Architect	Date	License No.
Engineer	Date	License No.

- G. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction

1. **Demolition/Construction Materials Recycling.** Recycling and/or reuse of demolition/construction materials shall be carried out to the extent feasible, and containers shall be provided on site for that purpose, in order to minimize construction-generated waste conveyed to the landfill. Indicate on the plans the location of a container of sufficient size to handle the materials, subject to review and approval by the City Solid Waste Specialist, for collection of demolition/construction materials. A minimum of 90% of demolition and construction materials shall be recycled or reused. Evidence shall be submitted at each inspection to show that recycling and/or reuse goals are being met.
2. **Construction-Related Truck Trips.** Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.). The purpose of this condition is to help reduce truck traffic on adjacent streets and roadways.
3. **Construction Related Traffic Routes.** The route of construction-related traffic shall be established to minimize trips through surrounding residential neighborhoods, subject to approval by the Transportation Manager.
4. **Haul Routes.** The haul route(s) for all construction-related trucks with a gross vehicle weight rating (GVWR) of three tons or more, entering or exiting the site, shall be approved by the Transportation Manager.

5. **Traffic Control Plan.** All elements of the approved Traffic Control Plan shall be carried out by the Contractor.
6. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays ~~and~~, holidays observed by the City of Santa Barbara, (as shown below), and any Friday preceding a Monday holiday observed by the City of Santa Barbara.

New Year's Day	January 1st*
Martin Luther King's Birthday	3rd Monday in January **
Presidents' Day	3rd Monday in February **
Cesar Chavez Day	March 31st*
Memorial Day	Last Monday in May
Independence Day	July 4th*
Labor Day	1st Monday in September**
Thanksgiving Day	4th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25th*

*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out night construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number that is answered by a person, not a machine.

7. **Construction Parking/Storage/Staging.** Construction parking and storage shall be provided as follows:
- During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director. Construction workers are prohibited from parking within the public right-of-way, except as outlined in subparagraph b. below.
 - Parking in the public right of way is permitted as posted by Municipal Code, as reasonably allowed for in the 2006 Greenbook (or latest reference), and with a Public Works permit in restricted parking zones. No more than three (3) individual parking permits without extensions may be issued for the life of the project.
 - Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager

8. **Street Sweeping.** The property frontage and adjacent property frontages, and parking and staging areas at the construction site shall be swept daily to decrease sediment transport to the public storm drain system and dust.
9. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.
10. **Construction Contact Sign.** Immediately after Building Permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s) name and telephone number(s), work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. The construction contact phone number shall include an option to contact a person instead of a machine in case of emergency. The font size shall be a minimum of 0.5 inches in height. Said sign shall not exceed six feet in height from the ground if it is free-standing or placed on a fence. It shall not exceed 24 square feet if in a multi-family or commercial zone or six square feet if in a single family zone.
11. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
12. **Graffiti Abatement Required.** Owner and Contractor shall be responsible for removal of all graffiti as quickly as possible. Graffiti not removed within 24 hours of notice by the Building and Safety Division may result in a Stop Work order being issued, or may be removed by the City, at the Owner's expense, as provided in SBMC Chapter 9.66.
13. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the applicant shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

H. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:

1. **Repair Damaged Public Improvements.** Repair any damaged public improvements (curbs, gutters, sidewalks, roadways, etc.) subject to the review and approval of the Public Works Department per SBMC §22.60.090.
2. **Cross-Connection Inspection.** The Owner shall request a cross connection inspection by the Public Works Water Reclamation/Cross Connection Specialist.
3. **New Construction Photographs.** Photographs of the new construction, taken from the same locations as those taken of the story poles prior to project approval, shall be taken, attached to 8 ½ x 11" board and submitted to the Planning Division.

I. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of the City Council denial of the appeal and approval of the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

NOTICE OF APPROVAL TIME LIMITS:

The Planning Commission's action approving the Modifications shall terminate two (2) years from the date of the approval, per Section 28.87.360 of the Santa Barbara Municipal Code, unless:

1. An extension is granted by the Community Development Director prior to the expiration of the approval; or

2. A Building permit for the use authorized by the approval is issued within and the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy.
3. The approval has not been discontinued, abandoned or unused for a period of six months following the earlier of (a) an Issuance of a Certificate of Occupancy for the use, or (b) two (2) years from granting the approval.

NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:

Pursuant to Section 28.44.230 of the Santa Barbara Municipal Code, work on the approved development shall commence within two years of the final action on the application, unless a different time is specified in the Coastal Development Permit. Up to three (3) one-year extensions may be granted by the Community Development Director in accordance with the procedures specified in Subsection 28.44.230.B of the Santa Barbara Municipal Code.

This motion was passed and adopted on the 2nd day of September, 2010 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1 (Jostes)

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Planning Commission at its meeting of the above date.

Julie Rodriguez, Planning Commission Secretary

Date

PLEASE BE ADVISED:

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) CALENDAR DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.

DRAFT



City of Santa Barbara Planning Division

PLANNING COMMISSION MINUTES

September 9, 2010

CALL TO ORDER:

Chair Bartlett called the meeting to order at 1:01 P.M.

I. ROLL CALL

Chair Bruce Bartlett, Vice-Chair John Jostes, Commissioners Charmaine Jacobs, Mike Jordan, Sheila Lodge, and Deborah L. Schwartz.

Commissioner Jacobs arrived at 1:06 P.M.

Absent: Commissioner Stella Larson

STAFF PRESENT:

Bettie Weiss, City Planner

Danny Kato, Senior Planner

N. Scott Vincent, Assistant City Attorney

Deana McMillion, Administrative/Clerical Supervisor

II. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

None.

- B. Announcements and appeals.

Mr. Kato made the following announcements:

1. On October 14, 2010, Staff will present the Planning Commission with the Highway 101 Update. The Highway 101 Subcommittee may meet beforehand to discuss lane changes to the project.

- C. Comments from members of the public pertaining to items not on this agenda.

Chair Bartlett opened the public hearing at 1:04 P.M. and, with no one wishing to speak, closed the hearing.

III. DISCUSSION ITEM

ACTUAL TIME: 1:04 P.M.

HOW FORM BASED CODING CAN TRANSFORM CITIES AND TOWNS

The Planning Commission will watch a 90 minute “webinar” offered by the Form-Based Codes Institute in Chicago, Illinois. Presenters in the webinar will discuss the meaning and method of form-based codes, and then take the audience through the motions of creating a new code. Participants gain useful knowledge of all aspects of the codes, including planning, design, and legal considerations. The Commission will discuss form-based coding after watching the webinar, but will not take any action on this item.

Case Planner: Danny Kato, Senior Planner

Email: DKato@SantaBarbaraCA.gov

Phone: 805-564-5470, ext. 2567

Danny Kato, Senior Planner, introduced the webinar.

The Planning Commission discussed the possibility of form-based coding in Santa Barbara and its applicability. Some Commissioners were enthusiastic about it, others felt that it could be appropriate in certain locations with property owner consent, and others questioned whether this approach should be pursued at all.

IV. ADMINISTRATIVE AGENDA

ACTUAL TIME: 3:35 P.M.

A. Committee and Liaison Reports.

1. Staff Hearing Officer Liaison Report

None was given.

2. Other Committee and Liaison Reports

- a. Commissioner Schwartz reported on the Downtown Parking Committee meeting of September 9, 2010.

VII. ADJOURNMENT

Chair Bartlett adjourned the meeting at 3:39 P.M.

Submitted by,

Deana McMillion, Administrative/Clerical Supervisor

DRAFT

City of Santa Barbara Planning Division

PLANNING COMMISSION SPECIAL MEETING MINUTES

September 29 and 30, 2010

CALL TO ORDER:

Chair Bartlett called the meeting of September 29, 2010 to order at 1:02 P.M., and the meeting of September 30, 2010 to order on 1:03 P.M.

I. ROLL CALL

Chair Bruce Bartlett, Vice-Chair John Jostes, Commissioners Charmaine Jacobs, Mike Jordan, Stella Larson, Sheila Lodge, and Deborah L. Schwartz.

Commissioner Jacobs arrived at 1:16 P.M. on September 29, 2010

Commissioner Larson arrived at 1:04 P.M. on September 30, 2010

STAFF PRESENT:

Paul Casey, Community Development Director
 Bettie Weiss, City Planner
 John Ledbetter, Principal Planner
 Steve Wiley, City Attorney
 N. Scott Vincent, Assistant City Attorney
 Rob Dayton, Principal Transportation Planner
 Barbara Shelton, Project Planner/Environmental Analyst
 Irma Unzueta, Project Planner
 Bea Gularte, Project Planner
 Julie Rodriguez, Planning Commission Secretary

II. PRELIMINARY MATTERS:

A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

None.

B. Announcements and appeals.

None.

C. Comments from members of the public pertaining to items not on this agenda.

Chair Bartlett opened the public hearing at 1:03 P.M.

Mickey Flacks invited the Commission to a meeting by the Santa Barbara County Affordable Housing Task Force on October 28, 2010 at the Faulkner Gallery at 7 P.M. David Thompson will be the guest speaker on limited equity cooperative development.

With no one wishing to speak, closed the hearing at 1:04 P.M.

Public comment was reopened at 1:03 P.M. on September 30, 201 and with no one wishing to speak, was closed.

III. PLAN SANTA BARBARA PROPOSED GENERAL PLAN AND FINAL ENVIRONMENTAL IMPACT REPORT:

ACTUAL TIME: 1:04 P.M.

Plan Santa Barbara (Plan SB) is the planning process to update Santa Barbara's General Plan. The General Plan shapes the City through goals, policies and programs concerning growth management, environment, housing, transportation and land use to best meet our community needs now and in the future.

The *Plan Santa Barbara* General Plan Update documents and the proposed Final Environmental Impact Report include the following:

- General Plan Policy Framework
- Land Use Element and Land Use Map
- Housing Element
- Proposed Final Environmental Impact Report, and Response to Comments

Staff recommends the following Planning Commission actions:

- A. Receive staff presentation, and conduct public hearing to receive comment on proposed Final Environmental Impact Report (FEIR) and September 2010 proposed final General Plan Update documents.
- B. Certify the Final Environmental Impact Report dated September 2010 for the *Plan Santa Barbara* General Plan Update, making the findings below, based on information provided through the EIR process, staff report and Exhibit E.
 1. The FEIR has been completed in compliance with the California Environmental Quality Act (CEQA).
 2. The FEIR was presented to the Planning Commission, and the Commission reviewed and considered the information contained in the FEIR. Pursuant to Government Code §65354, the Commission will make recommendations on the adoption of the proposed *PlanSB* General Plan Update to the Santa Barbara City Council, which recommendations have been informed by the Commission's consideration of the FEIR.
 3. The FEIR reflects the Planning Commission's independent judgment and analysis.

- C. Recommend to City Council the inclusion of additional measures in the General Plan Update policies that reflect selected EIR Recommended Measures that would further benefit the environment, as recommended in staff report Exhibit H.
- D. Recommend to City Council, per Government Code §65354, that the 2010 *Plan Santa Barbara* General Plan Update be adopted to include the Introductory Framework and General Plan reorganization, Land Use Element and associated General Plan map, Housing Element, and partial amendments to the remaining six elements.

Case Planner: John Ledbetter, Principal Planner
Email: info@YouPlanSB.org

Phone: (805) 897-2509

Bettie Weiss, City Planner, gave the introduction and introduced the Staff presentations that were given by John Ledbetter, Principal Planner; Rob Dayton, Principal Transportation Planner; and Barbara Shelton, Environmental Analyst.

Daniel Gira, AMEC Earth and Environmental, Inc., consultant to the city, was available to answer questions on the FEIR.

FINAL ENVIRONMENTAL IMPACT REPORT:

Scott Vincent, Assistant City Attorney and Steve Wiley, City Attorney provided clarification of California Environmental Quality Act (CEQA) guidelines for certifying the Final Environmental Document.

Chair Bartlett opened the public hearing at 2:32 P.M.

The following people provided public comment:

1. Norbert Dall, representing Thomas Felkay, commented on aspects of the EIR he considered were deficient, and submitted a letter with four requests regarding impacts and policy applications to a specified property.
2. Megan Birney, Community Environmental Council, supported the June Planning Commission hybrid alternative, which was widely supported by the community.
3. Ginny Brush, Arts Commission, asked for inclusion of a Master Plan for Arts and Culture in the General Plan.
4. Mickey Flacks, SB4All, supported the hybrid alternative previously presented by the Planning Commission to City Council, and expressed concern that the FEIR has veered away from the that hybrid model.
5. John Campanella supported the Additional Housing Alternative over the hybrid presented by the Planning Commission to City Council.
6. Barbara Fosbrink, California State Parks, expressed concern with the protection of historic structures and the adoption of a Historic Resource Element. Submitted a written letter with recommendations.

7. Hillary Blackerby, Transportation and Circulation Committee Member (TCC), stated the TCC unanimously finds the hybrid alternative without the Transportation Demand Management (TDM) policies is environmentally inferior and not consistent with the Circulation Element.
8. David Prichett, TCC Member, felt that advancing a project alternative with so many Class I impacts for traffic congestion is inconsistent with the Circulation Element. Requested that the Planning Commission find one alternative as the environmentally superior alternative.
9. Connie Hannah, League of Women Voters, was concerned with the potential to raise density in some areas up to 68 units/acre with variable density, density overlays and bonuses, and inclusionary units, and the greater ramifications it could bring to the ability to live within our resources.
10. Bill Marks supported the lower nonresidential figure of 1,000,000 s.f., to address jobs/housing imbalance and commuter crunch, and advocated for more Metropolitan Transit District (MTD) options along State Street.
11. LeeAnne French, Executive Director, Citizens Planning Association (CPA), requested more time to review the documents, and proposed that only the Medium High 15-25 density be designated, and consider 100% bonus density overlay for rental and employer housing.
12. Paul Hernadi, Citizens Planning Association (CPA), read from a letter submitted from CPA into the record.
13. Mary Louise Days, CPA, commented on Circulation Element policies, Historic Resources Element, requested a delay on EIR certification to allow more review time.
14. Cathie McCammon, Allied Neighborhood Association, opposed the High Density in the 27-45 du/acre range. She liked the direction the hybrid is going, and the changes for TDM policies. She asked for more reviewing time before EIR certification.
15. Eddie Harris, President, Santa Barbara Urban Creeks Council, agreed with the comments submitted by City Creeks Division and Brian Troutwein, and urged the inclusion of the recommended mitigation measures in Exhibit H of the Staff Report, "EIR Recommended Measures Needing Determination for Inclusion in the General Plan".
16. Debbie Cox Bultan, Coastal Housing Coalition, considered the Additional Housing Alternative as the best alternative in the EIR, but supported the Planning Commission's hybrid as a fair and reasonable compromise to meet PlanSB's goals.
17. Joe Rution asked the Planning Commission to limit density increases to projects that are assured to yield substantial numbers of affordable housing units, as small market units may not go to the work force.
18. Brian Troutwein, Environmental Defense Center (EDC), supports the Staff recommendation for inclusion of FEIR recommended measures in Exhibit H of the staff report, especially measures for creeks and watersheds.

Ed France, TCC Vice-Chair, and Susan Keller submitted requests to speak but were unable to remain for the comment period.

With no one else wishing to speak, the public hearing was closed at 3:26 P.M.

Chair Bartlett called a recess and reconvened the meeting at 3:49 PM.

The Planning Commission took a dinner recess at 5:40 P.M. and reconvened at 6:20 P.M.

Much deliberation took place after which Staff agreed to respond to the Planning Commission's request for new language additions to the FEIR to be reviewed the next day.

The meeting was adjourned at 7:20 P.M. and reconvened at 1:00 PM on Thursday, September 30, 2010.

ACTUAL TIME: 1:03 P.M. ON THURSDAY, SEPTEMBER 30, 2010

Chair Bartlett reopened the special meeting at 1:03 P.M. on Thursday, September 30, 2010.

Staff reviewed the new language additions to a new Hybrid Alternative in the FEIR and where they would be located.

Some of the Planning Commissioners asked for the Final EIR to explicitly designate the alternative that minimizes class 1 impacts to serve as an environmentally superior alternative.

With the addition of new information to the Environmental Impact Report (EIR), Chair Bartlett re-opened public comment at 1:28 P.M. and the following people gave comment:

1. Robert Dall, representing Thomas Felkay, submitted written comments and asked that they be made part of the record. He emphasized that there is no finite language therefore there is not a complete EIR report to be certified. Asked the Planning Commission to join others in reiterating that the Commission ask for a finite complete document.
2. Kellam de Forest submitted written comments and read them into the record.
3. LeeAnne French, Executive Director, Citizens Planning Association (CPA), would like to see a ranking of the different options with and without TDM principles.

With no one else wishing to speak, the public hearing was closed at 1:35 P.M.

MOTION: Jostes/Jacobs 07:12:25 on video

Assigned Resolution No. 013-10

Certify the Final Environmental Impact Report dated September 2010 for the *Plan Santa Barbara* General Plan Update based on the changes that Staff has made in response to concerns voiced by the Commission; information provided through the EIR process; and the three CEQA findings in Exhibit E of the Staff Report dated September 16, 2010.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

Chair Bartlett announced the ten calendar day appeal period.

PLAN SANTA BARBARA GENERAL PLAN UPDATE:

John Ledbetter, Principal Planner, gave the Staff presentation that began at 2:30 P.M.

Chair Bartlett opened the public comment hearing at 4:09 P.M. for comments on the General Plan Update. The following people gave comment:

1. Kellam de Forrest commented on mitigating Class I impacts and offered suggestions.
2. Connie Hannah, League of Women Voters, commented on density issues. The League supports CPA's suggestions to reserve the higher density for employer-built housing.

With no one else wishing to speak, Chair Bartlett closed the hearing at 4:15 P.M. and called for a recess, resuming the meeting at 4:32 P.M. Commission deliberation followed.

Chair Bartlett called for a dinner recess at 5:45 P.M. and reconvened the meeting at 6:20 P.M.

Commissioner Jostes called for a series of straw polls:

STRAW POLL #1: 04:57:00 on video

Support the policy provisions as a package with:

- The Non-residential growth limited to 1,353,000 s.f. over the next 20 years;
- Average Unit Size densities at the Medium High and High land use designations;
- Rental/Employer Housing Overlay Option 2 with the following modifications:
 - Pull back the northwestern boundary of the overlay to Sola Street, east of Highway 101 and to Pedregosa, west of Highway 101.
 - Include the CM zone from Anacapa Street to the C2 zone bordering Milpas Street.
- Accept the Upper Eastside recommendations for LG 17-4 regarding institutional uses as a City-wide policy with the implementation strategy to apply such a requirement to the Upper Eastside as a first step;
- Support a super majority requirement of the Planning Commission for building heights above 45 feet.

Ayes: 5 Noes: 2 (Jacobs, Lodge)

With added discussion, the Planning Commission reconsidered its poll after Commissioner Jacobs requested that the rental overlay on Upper State Street mirror the SD-2 zone. Commissioner Jacobs also indicated that the De la Vina area is not a good place to put the rental overlay at this time.

Commissioner Jacobs then reconsidered her position providing “soft support” with the added emphasis on historic resources protection. Commissioner Jacobs remained concerned that smaller unit sizes that were not included in the straw vote and wanted to see a recommendation to that effect.

The straw poll was revised to include:

- Removal of the overlay west of Highway 101 from Kentia down to Pedregosa. On the East side of Highway 101, it is removed between State Street and the Freeway from the Mission corridor down to the north side of Sola Street. Additional overlay areas are added along the Haley-Cota CM zone from Anacapa all the way to the commercial zones adjacent to Milpas Street. On Upper State Street, removal of the overlay from the De la Vina/State Street area pulling it back to Las Positas Avenue.

Ayes: 6 Noes: 1 (Lodge)

STRAW POLL #2: 05:26:00 on video

Recommendation to City Council for the support of higher densities with smaller units, as written in the proposed Land Use Element on pages 60-61 of the Santa Barbara General Plan Proposed Final Update, September 2010.

Ayes: 7 Noes: 0

STRAW POLL #3: 05:31:20 on video

Recommendation that the City Council maintain the full range of options for robust Transportation Demand Management (TDM) with the understanding that components such as parking pricing be applied only with community support and to feasibly maintain the economic vitality of the downtown in the face of unavoidably significant intersection and roadway constraints, should traffic conditions further degrade. The City already has a number of programs in place, such as the Pedestrian Master Plan, Transit Planning, and collaboration with the Metropolitan Transit District (MTD) that can have positive effects on reducing congestion. Urge City Council not to foreclose options at this point but rather to give those options further consideration if and when they have value to manage transportation capacity while at the same time fostering economic vitality.

Ayes: 7 Noes: 0

STRAW POLL #4: 05:34:00 on video

Recommendation to City Council to relax second unit standards adjacent to transit/commercial and consider relaxing standards City-wide on a neighborhood by neighborhood basis where neighborhood support is evident. Recommend including the square footage of the proposed second units within the Neighborhood Preservation Ordinance Floor Area Ratio (FAR) limitations.

Bettie Weiss, City Planner, suggested the Commission look at Policy H15 on pages 204-205 of the Housing Element in the Santa Barbara General Plan Proposed Final Update, September 2010 that changed the policy language in response to the City Council and has been drafted.

Ayes: 7 Noes: 0

STRAW POLL #5: 06:10:00 on video

Recommended accepting Staff's recommendations found in Exhibit H, "EIR Recommended Mitigation Measures" to be included in the General Plan Update, with Commissioner Jacobs's suggestion that the language in Staff Report Exhibit H, Page 10 of 14, paragraph 2 of RM VIS-2 Community Character be included in the recommendations.

Ayes: 7 Noes: 0

Staff reviewed all changes in language that would be made to the Land Use Element as documented in Exhibit H of the Staff Report.

STRAW POLL #6: 07:02:33 on video

Recommendation to City Council to preserve the 60 dB exterior noise threshold in single-family residential zones and apply 65 dB to multi-family and non-residential zones in the Noise Element.

Ayes: 7 Noes: 0

MOTION: Jostes/Schwartz 07:12:25 on video

Assigned Resolution No. 014-10

Recommend to City Council, per Government Code §65354, adopting the changes suggested by the Planning Commission regarding textual changes in the text of the Draft 2010 *Plan Santa Barbara* General Plan Update, and recommended mitigation measures as reflected by the straw polls taken.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

MOTION: Jostes/Jacobs 07:13:07 on video

Assigned Resolution No. 014-10

Recommend to City Council to adopt the proposed Final General Plan Update including a package of Planning Commission policy recommendations reflected in the first straw poll that ranged from density to the protection of Historic Resources, supplemented by the language pertaining to support for higher densities (Straw Poll #2), transportation demand management (Straw Poll #3), and second units (Straw Poll #4) .

This motion carried by the following vote:

Ayes: 6 Noes: 1 (Lodge) Abstain: 0 Absent: 0

Commissioner Jostes requested that in preparing its report to City Council that Staff minimize any ambiguities with the Planning Commission's recommended policy language and the hybrid that is covered in Volume 4 of the Final Environmental Impact Report (FEIR) and that Staff concentrate on articulating the Planning Commission's recommended policy language in compliance with the Commission's original objectives made on June 3, 2010 and found in the six bullet points of section 2.1 of Volume 4 of the FEIR.

VII. ADJOURNMENT

Chair Bartlett adjourned the meeting of September 29, 2010 at 7:20 P.M. and reconvened at 1:03 P.M. on September 30, 2010. The meeting of September 30, 2010 was adjourned at 9:11 P.M.

Submitted by,

Julie Rodriguez, Planning Commission Secretary



City of Santa Barbara California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION 013-10

FINAL ENVIRONMENTAL IMPACT REPORT CERTIFICATION FOR THE PLAN SANTA BARBARA GENERAL PLAN UPDATE SEPTEMBER 30, 2010

PLAN SANTA BARBARA FINAL ENVIRONMENTAL IMPACT REPORT CERTIFICATION:

Plan Santa Barbara (Plan SB) is the planning process to update Santa Barbara's General Plan. The General Plan shapes the City through goals, policies and programs concerning growth management, environment, housing, transportation and land use to best meet our community needs now and in the future

The Final Program Environmental Impact Report (FEIR) for the *Plan Santa Barbara* General Plan Update (GPU), publicly released by the City of Santa Barbara on September 16, 2010, includes the following components:

FEIR Volume I: Final Program Environmental Impact Report

FEIR Volume II: Appendices

FEIR Volume III: Response to Comments

FEIR Volume IV: Hybrid Alternative Analysis and *Plan Santa Barbara* Impact Summary Tables

WHEREAS, on September 29-30, 2010, the Planning Commission held a noticed public hearing on the Final Program Environmental Impact Report for the *Plan Santa Barbara* General Plan Update.

WHEREAS, 18 people appeared to speak regarding the Final Environmental Impact Report (FEIR) thereto, and the following exhibits addressing the FEIR were presented for the record:

1. Staff Report with Exhibits, dated September 16, 2010, including:
 - a. Exhibit B: PlanSB EIR Project Impact and Mitigation Summary
 - b. Exhibit C: EIR Alternatives Analysis Summary
 - c. Exhibit D: Listing of GPU and DEIR Commenters
 - d. Exhibit E: Planning Commission FEIR Certification Findings
 - e. Power Point Slide Presentation
2. Correspondence received by the Commission:
 - a. Natasha Lohmus, Department of Fish and Game, via email
 - b. Dave Davis and Megan Birney, Community Environmental Council, via email
 - c. Connie Hannah, League of Woman Voters, Santa Barbara, CA
 - d. Jeffrey King, Mesa Architects, via email
 - e. Lisa Plowman, SB4ALL, via email
 - f. Bernie Bernstein, via email

- g. Bruce Burnworth, via email
- h. Kellam de Forrest, via email
- i. Norbert H. Dall and Stephanie D. Dall, via email
- j. Tracy Fernandez, Santa Barbara, CA
- k. J. Michael Holliday, via email
- l. Paul Pommier, Sr., via YouPlanSB website
- m. Paula Westbury, Santa Barbara, CA
- n. Deborah Wright, via email
- o. Sheila Lodge, via email
- p. LeeAnne French, Citizens Planning Association, via email
- q. Fred Sweeney, Upper East Association
- r. Jarrell C. Jackman, Santa Barbara Trust for Historic Preservation and Richard Rozzelle, District Superintendent, California State Parks

NOW, THEREFORE BE IT RESOLVED that the City of Santa Barbara Planning Commission:

- I. Certified the Final Program Environmental Impact Report dated September 2010 for the *Plan Santa Barbara* General Plan Update, making Findings A through C below pursuant to State CEQA Guidelines §15090 and City CEQA Guidelines §II.2, based on information provided in the EIR process, staff report and Exhibit E, public input, and Commission discussion, and including clarifying additions and edits to the Final EIR by the Planning Commission as identified in Section II below.

- A. The final EIR has been completed in compliance with the California Environmental Quality Act (CEQA).

The FEIR for the *Plan Santa Barbara* General Plan Update was prepared in accordance with applicable procedures and content requirements of the California Environmental Quality Act (CEQA), State CEQA Guidelines, and City of Santa Barbara CEQA Guidelines.

An advertised Notice of Preparation for the EIR was issued January 15, 2009 for a 30-day agency and public comment period, and a Planning Commission public scoping hearing was held on January 29, 2009.

The EIR documents have been prepared by a qualified team headed by AMEC Earth and Environmental, Inc., working under oversight of experienced City staff.

The Draft EIR underwent a noticed 60-day public review and comment process March 19-May 18, 2010, including a noticed Planning Commission public hearing held April 28, 2010. Comments on the Draft EIR were received from 15 public agencies, 16 community/ public interest organizations, 45 individuals, and six City commissions and committees.

The Final EIR includes written responses to comments received on the Draft EIR and associated edits to the EIR analysis. Proposed responses to comments and hearing notice were provided to public agencies that commented on the Draft EIR ten days prior to the EIR certification hearing.

The EIR analysis meets CEQA requirements for a General Plan Program EIR, and EIR standards of adequacy pursuant to CEQA Guidelines §15151.

- B. The final EIR was presented to the Planning Commission, and the Planning Commission reviewed and considered the information contained in the final EIR. Pursuant to requirements of Government Code §65354, the Commission will make recommendations on adoption of the proposed *Plan Santa Barbara* General Plan Update to the Santa Barbara City Council, which recommendations have been informed by Commission consideration of the final EIR.

The proposed Final EIR was issued to the public and provided to members of the Planning Commission on Thursday, September 16, 2010. The Planning Commission held a noticed public hearing on Wednesday September 29, 2010, and received a staff presentation of the Final EIR and public comment, and reviewed and considered the information contained in the Final EIR.

- C. The final EIR as amended reflects the Planning Commission's independent judgment and analysis.

II. Said certification action above is subject to inclusion of the following clarifying additions and edits to the Final EIR documents, which do not alter the FEIR conclusions:

- A. Addition to Volume I-FEIR, EIR Summary, page 7 at the end of the "Alternatives to the Project" section, and to Volume IV-Hybrid Alternative Analysis, page 1-1 Introduction, Section 1.1, beginning as new fourth paragraph, as follows:

Background on Hybrid Alternative Discussions

As envisioned by the California Environmental Quality Act (CEQA) and State CEQA Guidelines, City decision-makers for the *Plan Santa Barbara* General Plan Update are considering modifications to project policies to incorporate mitigation and some policy components from the alternatives analyzed in the Environmental Impact Report (EIR), to reduce environmental effects and/or best address Plan objectives.

Initial Planning Commission Hybrid: The initial Planning Commission hybrid alternative package recommended to City Council (June 2010) is a policy set that the Commission felt would best address the following key criteria for the General Plan Update:

1. Maximize the achievement of Plan Objectives set forth in the Sustainability Framework and Principles, including Living within Our Resources;
2. Provide a guiding long-term vision and innovative flexible policy framework with implementation tailored and modified as needed by the Adaptive Management Plan;
3. Mitigate environmental impacts to the maximum extent feasible;
4. Achieve internal consistency and balance among and between the policies;
5. Ensure the policies are realistic, operational, capable of being implemented, and have support from key community stakeholders; and
6. Support the economic vitality of the City Downtown and as a whole.

Components of the initial Planning Commission recommended hybrid modifications to the Plan included:

- Reduction of the non-residential growth cap (to a total of 1 million SF, with no exclusions)
- Stronger Transportation Demand Management (TDM) and parking pricing programs to mitigate traffic congestion, reduce energy and greenhouse gas generation, and improve jobs/housing balance
- Residential parking maximums Downtown (1.5 spaces/unit) and parking sales/rental separate from the housing to address building sizes and affordability and traffic management (“unbundling”)
- Reduced unit sizes and increased density incentives in appropriate areas to promote affordable workforce housing and traffic management (27-45 du/acre and up to 60 du/acre for community benefit projects with supermajority vote; 50% density increase for rental and employer-sponsored housing in commercial and multi-family areas)
- Stronger design standards to address compatible building sizes and protection of historic resources and community character (including guideline for primarily 2-3 story building heights with 4th story only for community benefit projects with supermajority vote)
- Stronger historic resources protection policies (including buffers around historic districts, designated resources, and Presidio)
- Increased affordable inclusionary housing requirement (25%), and relaxed second unit standards in commercial areas near transit corridors and services and with consideration citywide.

The Planning Commission initial recommended hybrid alternative was seen as a positive compromise set of policies and received strong support from a large majority of the community groups that have participated in the General Plan Update process.

Initial City Council Hybrid Alternative: Initial City Council discussions provided direction for consideration of many of the policy elements in the Planning Commission recommendations, but some with further modifications. In response to public input, Planning Commission recommendations, and Council discussion, softened policy language was considered for some policies, based on concerns about economic interests, property rights, and livability/community character. Initial Council hybrid policies for consideration included:

- Reduced non-residential growth cap (1 million SF), but with more exclusions [for EIR analysis, an additional 0.5 million SF was assumed for excluded uses]
- Inclusion of the range of Transportation Demand Management strategies, but no assured commitment to expansion of existing Transportation Demand Management and parking pricing programs without demonstrated stakeholder support [no expansion beyond current TDM program was assumed for EIR analysis]
- Consider residential parking maximums downtown, and allow “unbundling” of housing and parking costs
- Reduced unit sizes and density increases in appropriate areas (27-45 du/acre; 50% density overlay for rental/employer housing) [areas to be determined, consider Planning Commission recommended areas]

- Stronger design standards to address compatible building sizes and protection of historic resources and community character (supermajority vote for buildings exceeding 45 feet; buffers around historic districts, designated resources, and Presidio)
- Consider increased affordable inclusionary housing requirement (25%) along with suspension during economic downturns, sliding scale for types of uses, and potential commercial fee; and relaxed second unit standards on a neighborhood-by-neighborhood basis with neighborhood support.

B. Addition to FEIR Volume I, EIR Summary, page 7, at the end of the “Alternatives to the Project” section (following the “Background on Hybrid Alternative Discussions” section added in item A. above), as follows:

Summary of FEIR Alternatives Analysis

The following summarizes EIR alternatives analysis of environmental impacts in the year 2030:

Class 2 Impacts (Less than Significant with Mitigation): The EIR identified the following potentially significant impacts mitigated to less than significant levels: air quality (diesel particulates), biological resources (loss of upland and riparian habitats); geological conditions (sea cliff retreat); hazards (adequacy of facility capacity for household hazardous materials collection); heritage resources (effects of development on historic resources); hydrology and water quality (extended range sea level rise from climate changes); noise (highway noise level increases affecting residential uses); open space and visual resources (gradual loss of open space); public utilities/ solid waste (adequacy of long-term solid waste management facility capacity).

For these impacts on local resources, hazards, and services, *potential* significant impacts could be the least under the Lower Growth Alternative, and would be less than significant with mitigation (Class 2.)

Under all the other alternatives, including the *Plan Santa Barbara* project, No Project, Additional Housing, and Hybrid Alternatives, *potential* significant impacts on resources, hazards, and services would be similar in type and somewhat greater than the Lower Growth Alternative. However, these impacts would also be mitigated to less than significant levels (Class 2) under all the alternatives, for the same residual impact level.

Class 1 Impacts (Significant): All alternatives would be expected to result in Class 1 impacts to Transportation (traffic congestion) and Climate Change (greenhouse gas generation). Lower residual impacts for both issues are largely a result of a lower amount of non-residential growth and more extensive application of Transportation Demand Management (TDM) and parking pricing policies (which act to reduce impacts for existing traffic as well as the small increment of additional growth).

The alternatives are ranked in the following order as to lowest transportation and climate change impacts, and most effective mitigation, as analyzed in the EIR:

Additional Housing Alternative

The Additional Housing Alternative assumes low non-residential growth (1.0 million SF), and Robust TDM and parking pricing policies (i.e., strongest expansion), resulting in lowest impacts on traffic congestion (from existing 13 impacted intersections to 14 impacted intersections) and greenhouse gas generation (1.4 million tons/year), as well as substantially better jobs/housing balance (0.41 jobs/unit).

Plan Santa Barbara Project

The *Plan Santa Barbara* project assumes two 2.0 million SF non-residential growth and Moderate TDM/parking pricing expansion, resulting in the *potential* for 20 impacted intersections and estimated 1.62 tons/year greenhouse gases. Roadway improvements could mitigate 2-3 intersections. With application of Mitigation Measure T-2, the robust TDM/parking pricing per Alternative 2, most of these impacts would be mitigated. The jobs/housing balance would be in approximate balance (1.44 jobs/unit).

Lower Growth Alternative

The Lower Growth Alternative assumes low non-residential growth (1.0 million SF), but no expansion of TDM/parking pricing, resulting in the potential for 18 impacted intersections and 1.58 million tons/year greenhouse gas generation, and improved jobs/housing balance (0.90 jobs/unit). Because this alternative assumed a policy set to maintain or increase parking standards, the T-2 mitigation for robust TDM was not considered compatible with the policy set, and not applied in the EIR analysis. However, if the T-2 mitigation was applied, the traffic and greenhouse gas impacts could be lower than described for this alternative.

Hybrid Alternative

The Hybrid Alternative analysis assumed the lower non-residential growth cap of 1 million SF for designated categories, and the EIR analysis assumes an additional 0.5 million SF for uses excluded from the categories. The policy set includes the range of TDM strategies, but no committed level of expansion, and the EIR analysis therefore assumes no expansion of existing TDM/parking pricing programs. The less extensive TDM/parking pricing has more influence than the lower non-residential growth, and greater impacts result to traffic (estimated 20-26 intersections) and greenhouse gas generation (estimated 1.6 - 1.62 tons/year). The jobs/housing balance would be somewhat better than the *Plan Santa Barbara* scenario (<1.44 jobs/unit). Application of the T-2 robust TDM/parking pricing could substantially reduce the impacts.

No Project/ Existing Policies Alternative

The No Project Alternative assumes 2.2 million SF non-residential growth and no expansion of existing TDM/parking pricing, resulting in the greatest impact on traffic congestion (26 intersections), and greenhouse gas generation (1.62 million tons/year). Application of the T-2 robust TDM/parking pricing could substantially reduce the impact. The No Project Alternative worsens the jobs/housing balance (2.04 jobs/ unit).

- C. Edit in Volume IV-Hybrid Alternative Analysis, page 2-1, Section 2.1 Hybrid Alternative Description/Overview/Background, to delete the following text from this section, and address it as part of the addition to page 1-1 identified in item A above (“Background on Hybrid Alternative Discussions”):

The Hybrid Alternative would account for the following Planning Commission and City Council key criteria for the General Plan Update:

1. Maximize the achievement of Plan Objectives set forth in the Sustainability Framework and Principles, including Living within Our Resources;
2. Provide a guiding long-term vision and innovative flexible policy framework with implementation tailored and modified as needed by the Adaptive Management Plan;

3. Mitigate environmental impacts to the maximum extent feasible;
 4. Achieve internal consistency and balance among and between the policies;
 5. Ensure the policies are realistic, operational, capable of being implemented, and have support from key community stakeholders; and
 6. Support the economic vitality of the City Downtown and as a whole.
- D. Edit to FEIR Volume I, Section 16.1.2 Transportation Setting/Circulation/Other Neighborhoods/Mesa, page 16-6, third paragraph, fourth line:
Delete the word “formerly” before “SR 225”.
- E. Addition to FEIR Volume I, page 16-71, Section 16.8 Transportation/Mitigation Measures, as new paragraph at the end of Mitigation Measure Trans-1.c Develop an Intersection Master Plan to Address Problem Intersections; and add to EIR Impact Summary and Mitigation Monitoring Tables in Volumes I (page 32, Table ES-3 and page 23-23, Table 23-1) and Volume IV (page 5-7, Table 5.1 and page 6-24, Table 6-1):
Mesa Area Arterial and Side Street Improvements: Consider improvements as needed to address effective travel operations and safety at Mesa area intersections, including Cliff Drive/Meigs Road; Cliff Drive/Flora Vista/Mesa Lane; Meigs Road/Red Rose Way; and Cliff Drive/Santa Barbara City College West Entrance.
- F. Addition to FEIR Volume I, pages 23-14 to 23-16, Table 23.1 EIR Mitigation Monitoring and Reporting Program for Plan Santa Barbara, Measure RM VIS-2 Community Character; and addition also in Volume IV, PlanSB Mitigation Monitoring and Reporting Table 6.1, pages 6-12 to 6-14:
Under “Implementation Responsibility” column of the tables, for all subsections of RM VIS-2, add “Historic Landmarks Commission” as one of the implementing commissions.
- G. Edit to FEIR Volume I, page 19-15, Section 19.2.1 Regional Housing Needs Assessment, third paragraph, fifth line:
Change reference for City percentage of South Coast population from “41” to “45”.
- H. Edit to FEIR Volume III, p. 759, Response to Comment C15-3 regarding DEIR p. 8-9:
Delete “Portions of Hope Ranch (e.g., Hope Ranch Annex) are located within the City, while the rest of”.

This motion was passed and adopted on the 30th day of September, 2010 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Planning Commission at its meeting of the above date.

Julie Rodriguez, Planning Commission Secretary

Date

PLEASE BE ADVISED:

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) CALENDAR DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.



City of Santa Barbara California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION 014-10

RECOMMENDATIONS TO CITY COUNCIL ON THE PLAN SANTA BARBARA GENERAL PLAN UPDATE SEPTEMBER 30, 2010

PLAN SANTA BARBARA PROPOSED GENERAL PLAN UPDATE:

Plan Santa Barbara (Plan SB) is the planning process to update Santa Barbara's General Plan. The General Plan shapes the City through goals, policies and programs concerning growth management, environment, housing, transportation and land use to best meet our community needs now and in the future.

The *Plan Santa Barbara* General Plan Update documents include:

- General Plan Policy Framework
- Land Use Element and Land Use Map
- Housing Element
- Partial Amendments to the Remaining Six Elements
- General Plan Appendices

WHEREAS, on September 29-30, 2010 the Planning Commission has held the required noticed public hearings on the proposed *Plan Santa Barbara* General Plan Update.

WHEREAS, two people appeared to speak regarding the proposed General Plan Update, in addition to the General Plan Documents listed above, and the following exhibits were presented for the record:

1. Staff Report with Exhibits, dated September 29 & 30, 2010, including:
 - a. Exhibit A: Memorandum to City Council Regarding Plan Santa Barbara Direction & Next Steps, dated August 12, 2010
 - b. Exhibit B: Plan SB EIR Project Impact and Mitigation Summary, dated September 16, 2010
 - c. Exhibit C: EIR Alternative Analysis Summary, dated September 16, 2010.
 - d. Exhibit D: Listing of GPU and EIR Commenters, dated September 16, 2010
 - e. Exhibit E: Planning Commission FEIR Certification Findings, dated September 16, 2010
 - f. Exhibit F: CEQA Findings for Plan Adoption, dated September 16, 2010
 - g. Exhibit G: EIR Recommended Measures Already Incorporated in Proposed General Plan, dated September 16, 2010
 - h. Exhibit H: EIR Recommended Measures Needing Determination for Inclusion in General Plan, dated September 16, 2010
 - i. Exhibit I: Rental/Employer Housing Overlay maps (Option 1 – 4), dated September 16, 2010

- j. Exhibit J: Draft Implementation Plan Outline for the General Plan Update, dated September 16, 2010
- 2. Background on Hybrid Alternative Discussions handout prepared by City Staff
- 3. Memorandum from AMEC comparing effects of changes in levels of TDM in the Hybrid Alternative, September 24, 2010
- 4. Options for Allocation of Non-Residential Square Footage handout prepared by City Staff
- 5. FEIR Volume I: Final Program Environmental Impact Report, September 2010
- 6. FEIR Volume II: Appendices
- 7. FEIR Volume III: Response to Comments
- 8. FEIR Volume IV: Hybrid Alternative Analysis and *Plan Santa Barbara* Impact Summary Tables
- 9. Power Point Slide Presentation handout
- 10. Correspondence received regarding the proposed General Plan Update:
 - a. Natasha Lohmus, Department of Fish and Game, via email
 - b. Dave Davis and Megan Birney, Community Environmental Council, via email
 - c. Connie Hannah, League of Woman Voters, Santa Barbara, CA
 - d. Jeffrey King, Mesa Architects, via email
 - e. Lisa Plowman, SB4ALL, via email
 - f. Bernie Bernstein, via email
 - g. Bruce Burnworth, via email
 - h. Kellam de Forrest, via email
 - i. Norbert H. Dall and Stephanie D. Dall, via email
 - j. Tracy Fernandez, Santa Barbara, CA
 - k. J. Michael Holliday, via email
 - l. Paul Pommier, Sr., via YouPlanSB website
 - m. Paula Westbury, Santa Barbara, CA
 - n. Deborah Wright, via email
 - o. Sheila Lodge, via email
 - p. LeeAnne French, Citizens Planning Association, via email
 - q. Fred Sweeney, Upper East Association
 - r. Jarrell C. Jackman, Santa Barbara Trust for Historic Preservation and Richard Rozzelle, District Superintendent, California State Parks

WHEREAS, the Planning Commission recommendation is a set of policies that the Commission believes would best address the following key decision-making criteria for the General Plan Update:

1. Maximize the achievement of Plan Objectives set forth in the Sustainability Framework and Principles, including Living within Our Resources;
2. Provide a guiding long-term vision and innovative flexible policy framework with implementation tailored and modified as needed by the Adaptive Management Plan;
3. Mitigate environmental impacts to the maximum extent feasible;
4. Achieve internal consistency and balance among and between the policies;
5. Ensure the policies are realistic, operational, capable of being implemented, and have support from key community stakeholders; and
6. Support the economic vitality of the City Downtown and as a whole.

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

- I. Recommends to the City Council, per Government Code §65354, that the 2010 *Plan Santa Barbara* General Plan Update be adopted to include the Introductory Framework and General Plan reorganization, Land Use Element and associated General Plan map, Housing Element, and partial amendments to the remaining six elements with the following comments and adjustments:

1. **Growth Management/Non-Residential Square Feet:** The Planning Commission recommends that new net non-residential growth be limited to approximately 1.3 million square feet (including 350,000 square feet for pending and approved projects) over the next twenty years (2030). The square footage would be distributed in the following categories:

Allocation Categories	Square Footage Allocation
Small Additions	300,000 sq. ft.
Vacant	250,000 sq. ft.
Community Benefit	450,000 sq. ft.
Categories Total	1,000,000 sq. ft.
Pending and Approved Projects*	350,000 sq. ft.
Total	1,350,000 sq. ft.

* Pipeline Projects are not an allocation category

2. **Average Unit Densities:** The Planning Commission reaffirms its earlier density allowance recommendation for multiple family and commercially designated property under the Average Unit Density Incentive Program. Density permitted under this program would range from 15-25 du/ac in the Medium-High Density Residential to 27-45 du/ac in the High Density Residential designated areas. Explanation of the Average Unit Density Program and unit size ranges for these densities are reflected in pages 60 - 61 of the proposed General Plan Update, September 2010.

3. **Rental and Employer Housing Overlay:** The Planning Commission reaffirms their support for the rental and employer housing overlay that allows a 50% density increase over the densities allowed under the Average Unit Density program to encourage additional new rental and employer housing units. The Planning Commission endorses the Rental/Employer Housing Overlay Option 2 map with the following adjustments to the boundary:
 - Remove overlay west of Hwy 101 from Kentia Street to the north side of Pedregosa Street
 - Remove overlay between State Street and Hwy 101 from the Mission Street corridor to the north side of Sola Street
 - Remove De la Vina/State Street on Upper State Street and pull back to Las Positas Road
 - Apply overlay to C-M zone including Haley and Cota Streets from Anacapa Street to Milpas Street with an underlying density overlay designation of Medium-High
4. **Planning Commission Super Majority Vote:** The Planning Commission supports a super majority requirement of the Planning Commission for building heights above 45 feet.
5. **Unit Sizes:** The Planning Commission reaffirms their support and recognizes the need for smaller unit sizes in order to encourage smaller buildings and promote the development of more affordable, workforce housing.
6. **Transportation Demand Management (TDM):** The Planning Commission continues to support maintaining the full range of options for robust Transportation Demand Management (TDM) with the understanding that components such as parking pricing be applied only with community support and to feasibly maintain the economic vitality of the downtown in the face of unavoidably significant intersection and roadway constraints, should traffic conditions further degrade. The City already has a number of programs in place, such as the Pedestrian Master Plan, Transit Planning, and collaboration with the Metropolitan Transit District (MTD) that can have positive effects on reducing congestion. The Commission urges City Council not to foreclose options at this point but rather to give those options further consideration if and when they have value to manage transportation capacity while at the same time fostering economic vitality.
7. **Second Units:** The Planning Commission supports the proposed revisions to Housing Element Implementation Action H.15.1 directing amendments to the Secondary Dwelling Unit Ordinance to relax certain development standards in order to allow additional second units in certain neighborhoods, as well as in areas within a short walking distance to transit corridors and bus stops. The Planning Commission recommends that H15.1 and H15.2 be merged into one implementation action to reduce redundancy.
8. **Final EIR Recommended Measures:** The Planning Commission recommends the incorporation of the FEIR Recommended Measures outlined in Exhibit H, "EIR Recommended Measures Needing Determination for Inclusion in General Plan" of the September 29 & 30, 2010 Staff Report and supported by Staff for inclusion in the proposed General Plan Update document. In addition, the Planning Commission

recommended that VIS-2 “Community Character Preservation” be incorporated in the Community Design policies of the Land Use Element. Further, the Recommended Measures should begin with “The City should consider...”

The following FEIR Recommended Measures (outlined in Exhibit H of September 29 & 30, 2010 Planning Commission Staff Report) would be incorporated into the appropriate General Plan elements:

Recommended Measures from FEIR	General Plan Update Policy
BIO-1: Upland Habitat and Species Protection	ER 12.3: Oak Woodland Protection
BIO-2: Creeks, Wetland, and Riparian Habitat and Species Protection	ER13.3: Native Species Habitat Planning
BIO-3: Coastal Habitats and Species Protection	ER13.2: Multi-Use Plan for Coast ER13.4: Coastal Bluff Scrub Protection
GEO-1: Sea Level Rise and Coastal Bluff Retreat	PS9.3: Modify the Local Coastal Plan
HAZ-1: Accident Risks	PS8: Hazards Avoidance Policies
HAZ-2: Hazardous Materials	PS8: Hazards Avoidance Policies
HAZ-3: Wildfire Hazards	PS14: Wildfire Hazards
HYDRO-1: Flood Hazards	ER18.1: Creek Setback Standards
HYDRO-2: Improve Water Quality at Area Beaches	ER16.4: Pharmaceutical Waste Education and Collection ER16.5: Beach Water Quality Improvement ER16.6: Watershed Action Plans
HYDRO-3: Minimize Debris and Trash	ER16.7: Minimize Debris and Trash
NOISE-1: Nuisance Noise	PS10.3: Neighborhood Noise Reduction
CLIMATE-1: Carbon Sequestration	ER1.3: Urban Heat Island Effect
POP-1: Improved Jobs/Housing Balance (1.b. Job Creation)	Add to Economy and Fiscal Element, following EF20
POP-1: Improved Jobs/Housing Balance (1.c. Locations of Affordable Housing)	H22.10: Location of Affordable Housing
SOCIO-1: Interior Noise Reduction Home Improvement Program	PS11: Sound Barriers
VIS-2: Community Character	LG13: Community Character

9. **Neighborhood Noise Standard:** The Planning Commission recommends increasing the maximum outdoor noise threshold in multi-family and commercial zones from 60 dB(A) CNEL to 65 dB(A) CNEL, and preserving the maximum outdoor noise level in the single family zones at 60 dB(A) CNEL. The Planning Commission recommends that proposed Implementation Action PS10.1 be amended to maintain the maximum outdoor noise level for residential uses in single family residential zones at 60dB(A) CNEL.

- II. The Planning Commission further recommends to City Council the following textual amendments to the proposed Final General Plan Update:

Land Use Element

- LG2. Limit Non-Residential Growth. Establish the net new non-residential square-foot limitations through the year 2030 at 1 million and 350,000 square feet for pending and approved projects, and assess the need for increases in non-residential square footage based on availability of resources, and on economic and community need through a comprehensive Adaptive Management Program.

The one million square feet of non-residential development potential shall be allocated to the three following categories.

<u>Category</u>	<u>Square Footage</u>
<u>Small Additions</u>	<u>300,000</u>
<u>Vacant</u>	<u>250,000</u>
<u>Community Benefit</u>	<u>450,000</u>

Non-residential square footage of approximately 350,000 square feet associated with projects that are Pending or Approved could change during the policy and implementing ordinance adoption.

Non-residential square footage associated with Minor Additions and, demolition and replacement of existing square-footage on-site, ~~projects that are pending and approved as of time of ordinance adoption, government buildings, and Sphere area annexations~~ are considered separately and in addition to the net new non-residential development established above.

Existing permitted square footage not in the City, but in the sphere of influence, that is part of an annexation shall not count as new square footage necessitating a growth management allocation. However, Once annexed, all development or developable parcels that propose net new square footage are subject to the limitations of the city's growth management ordinance.

Implementation Actions

- LG2.1 Amount of Non-Residential Growth. Provided it is demonstrated that it can be supported by available resources capacities, amend the City's Development Plan Ordinance to limit net new non-residential growth to 1 million and 350,000 square feet. Amend the non-residential development categories and allocation amounts to reflect this new development potential and definitions for each category.

- LG7. Community Benefit Non-Residential Land Uses. Net new non-residential square footage that includes one or more Community Benefit Land Uses shall be of a secondary priority to affordable housing, ~~and shall include one or more Community Benefit Land Uses.~~

Implementation Action

LG17.4 As part of neighborhood planning, as appropriate, initiate and conduct studies in residential neighborhoods that have various established institutional uses. The purpose of the study is to engage those who manage these institutional uses with neighborhood representatives and City officials to develop “best practices” for the conduct of activities associated with the institutional land uses in order to improve their compatibility with their adjacent residential neighbors and, in the process, help individual neighborhoods become more sustainable neighborhoods. Such a study should first be conducted in the Upper East Neighborhood that has a unique concentration of existing institutional land uses. Subsequent to this study, and the identification of best practices, these practices should be considered citywide, as appropriate.

Housing Element

- H15. Secondary Dwelling Units. Second units (granny units) in single family zones shall be allowed within certain areas with neighborhood input to gauge level of support, but prohibited in the High Fire Hazard Zones. Second units may be appropriate within a short walking distance from a main transit corridor and bus stop. :

Implementation Actions

~~H15.1 Second Units. Second units (granny units) may be appropriate within 10 minutes walking distance from a main transit corridor and bus stop. Consider incentives, such as: revised development standards for second units e.g., eliminating the parking requirements for second units, eliminating the attached unit requirement, reducing development costs by allowing one water, gas and electric meter and a single sewer line, developing an amnesty program for illegal second units.~~

H15.12 Secondary Dwelling Unit Ordinance. Amend the Secondary Dwelling Unit Ordinance to provide more site planning flexibility and affordable-by-design concepts such as:

- Changing the existing size limitations to remove percentage of unit size and allowable addition requirements, and allowing a unit size range (300 – 700 s.f.);
- The square footage of the secondary dwelling unit shall be included in the floor-to-area ratio (FAR) for the entire property and shall be consistent with the Neighborhood Preservation Ordinance FAR;
- Eliminating the attached unit requirement;
- Changing the minimum lot size standard;
- Eliminating or adjusting affordability requirements;
- Allowing tandem parking and easing other parking requirements on a case-by-case basis;

- Allowing one water, gas, and electric meter and a single sewer line;
- Developing an amnesty program for illegal second units; and
- Developing guidelines and prototypes of innovative design solutions.

H11.2 Affordable Rental and Employer Housing Overlay. Encourage the construction of rental housing and employer sponsored housing, including 3+ bedroom units, in the downtown center and identified areas of Medium High and High Density land use designations the R-3/R-4 zones at affordable rental rates; by providing incentives such as:

- Increased density overlays up to 50 percent (over Average Unit Density Incentive Program).
- Higher Floor Area Ratios (FAR) when such standards are developed.
- More flexibility with zoning standards, (e.g., reduced parking standards).
- Expedited Design Review process.
- Fee waivers or deferrals.

Historic Resources Element

Implementation Actions

HR3.2. Construction Adjacent to Historic Structures. Provide that construction activities adjacent to an important historical structure do not damage the historical structure. For projects involving substantial demolition and/or grading adjacent to an important historical structure, include any necessary measures to provide that such construction activities do not damage the historical structure, as determined in consultation with the City Urban Historian, or in approved Historic Structures Report recommendations. Such measures could include participation by a structural engineer and/or an historical architect familiar with historic preservation and construction in the planning and design of demolition or construction adjacent to important historic structures.

Where appropriate, require an evaluation study and mitigation for potential damage of certain significant historic structures (e.g., older adobe structures) shall be considered when adjacent development might result in a change in micro-climate of the affected historic structure. The evaluation study shall include a comparative assessment of potential harmful impacts that may result to the exterior or interior of the historic structure. Impacts to be studied may consist of the following: air circulation, humidity, temperature, heating and cooling dynamics, noise, vibration, air quality, and light and shade conditions. The goal is to ensure no long-term harm or negative impacts would result in the condition or environment of the historic structure.

HR5 Historic Resource Protection. Identify and/or designate Historic Districts or grouping of historic resources and consider additional implementation actions listed in LG13 and LG14, such as revised development standards, buffer protection and overlay zones to further protect historic resources.

Implementation Actions

HR5.1 Buffers. Establish permanent Historic Resource Buffers with priority focus on the historic adobe structures, the Brinkerhoff Avenue District, significant City Landmarks, and El Presidio State Historic Park.

HR5.2 Historic Structures. Provide that construction activities on the site of an important historical structure do not damage the historical structure. Where appropriate, require an evaluation study for potential damage of the significant historic structures (e.g., older adobe structures) when development might result in a change in micro-climate of the affected historic structure. The evaluation study shall include a comparative assessment of potential harmful impacts that may result to the exterior or interior of the historic structure. Impacts to be studied may consist of the following: air circulation, humidity, temperature, heating and cooling dynamics, noise, vibration, air quality, and light and shade conditions. The goal is to ensure no long-term harm or negative impacts would result in the condition or environment of the historic structure.

Environmental Resources Element

ER7. Highway 101 Set-Back. New development of residential or other sensitive receptors (excluding minor additions or remodels of existing homes or one unit on vacant property) on lots of record within 250 feet of U.S. Hwy 101 will be prohibited in the interim period until California Air Resources Board (CARB) phased diesel emissions regulations are implemented and / or until the City determines that diesel emission risks can be satisfactorily reduced. The City will monitor the progress of CARB efforts and progress on other potential efforts or measures to address diesel emissions risks.

ER27. Enhance Visual Quality. Not only retain, but improve visual quality of the city wherever practicable.

Implementation Action

ER27.1 Underground Utilities. Cooperate with developers and utility companies to underground as many as possible overhead utilities in the city by 2030. Establish a listing of priority street segments with realistic target dates in the capital improvements program and continue to support neighborhood efforts for undergrounding.

Circulation Element

C6.4 Downtown Public Parking Pricing. Work with ~~Downtown~~ stakeholders to develop a public on-street parking program that will reduce commuter use of the customer parking supply and increase the economic vitality of Downtown.

Public Services and Safety Element

PS10. Noise Guidelines for Residential Zones. Take into consideration the surrounding existing and future legal land uses in establishing noise standards for residential uses.

Implementation Actions

PS10.1 Noise Levels. Update the General Plan Noise Element Land Use Compatibility Guidelines including establishing 65 dB(A) CNEL as the appropriate maximum outdoor noise level for residential land uses in commercial and multi-family zones while

maintaining 60 dB (A) CNEL in single family zones. This ambient noise guideline for residential building construction shall assure indoor noise levels meet building code requirements of 45 dB(A) level.

PS10.3 Neighborhood Noise Reduction. To further General Plan policies for maintaining quiet, high quality neighborhoods, consider requiring more detailed noise assessments for special, conditional, and institutional uses with activities and events that may cause noise effects to residential neighborhoods.

PS14. Fire Prevention and Creek Restoration. Coordinate fire prevention and creek protection planning through the development of a set of best practices, within and adjacent to creek corridors.

III. Additional Planning Commission Recommendations on the proposed General Plan Update document:

1. Move Policy LG14 (Historic Structures) and Implementation Actions LG14.1 through LG14.5 from the Land Use Element to the Historic Structures Element.
2. Incorporate the Culture discussion from the existing Land Use Element into the proposed General Plan.

IV. Planning Commission Motions:

- A. The Planning Commission recommends that the City Council adopt the textual changes to the proposed General Plan Update document as reflected by straw votes taken throughout the meeting, as well as the FEIR Recommended Measures to be incorporated into the appropriate General Plan elements. The Planning Commission also confirms and recommends that the City Council adopt the *Average Unit Density Incentive Program* text on pages 60-61 of the Final General Plan Update document explaining the purpose and importance of unit size in promoting affordable and workforce housing.

This motion was passed and adopted on the 30th day of September, 2010 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0

- B. The Planning Commission recommends that the City Council adopt the proposed Final General Plan Update including a package of key policy recommendations related to:
- Growth Management/Non-Residential Square Footage
 - Average Unit Size/Density
 - PC Super Majority Vote (Building Heights)
 - Rental/Employer Housing Overlay
 - Second Unit Standards near Transportation Corridors, and conditional application elsewhere
 - Applying Transportation Demand Management measures as necessary and feasible to maintain Economic Vitality in the Downtown

This motion was passed and adopted on the 30th day of September, 2010 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 6 NOES: 1 (Lodge) ABSTAIN: 0 ABSENT: 0

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Planning Commission at its meeting of the above date.

Julie Rodriguez, Planning Commission Secretary

Date

PLEASE BE ADVISED:

ANY INTERESTED PARTY MAY FILE A WRITTEN REQUEST FOR A HEARING BY THE CITY COUNCIL WITH THE CITY CLERK WITHIN FIVE (5) DAYS AFTER THE APPROVAL OF THIS RESOLUTION.